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EXAMINER

NGUYEN, THUY-VI THI

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 10/731,696 | Applicant(s) LLOYD ET AL. | |
| | Examiner THUY-VI NGUYEN | Art Unit 3689 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the applicant's communication filed on 09/23/09, wherein:

Claims 1-38 are currently pending;

Claims 1-16; 32 and 38 have been amended;

As on 09/23/09, independent claim 1 is amended as follow:

1. (Currently Amended) A computer-implemented method in a computer system ~~for presenting forecast information, the method~~ comprising:

a) presenting forecast information, comprising

b) providing forecast snapshots, each forecast snapshot comprising a forecast date, a forecast period, a forecast interval and summary forecasts, wherein the forecast interval indicates a frequency at which forecasts are to be generated and saved as forecast snapshots;

c) ~~receiving from a user a request to display~~ at the computer system, wherein the request is received from a user, and the request is for displaying forecast snapshot information for a forecast period;

d) ~~for each forecast snapshot for the requested forecast period, retrieving forecasts, using a processor of the computer system, forecast information for the forecast period for participants~~ each participant of the forecast snapshots, ~~wherein each participant is subordinate to the user in a corporate management hierarchy;~~

e) retrieving, using the processor, current opportunities for the user; and

f) generating, using the processor, a single display ~~containing~~ comprising a summary area ~~that comprises wherein~~
the single display is displayed on a display of the computer system, and
the summary area comprises
summary information of the ~~retrieved~~ forecast ~~snapshots~~
information for participants of the forecast,
a participants area that comprises information ~~of regarding~~ the ~~retrieved~~ forecast
~~snapshots of each participant~~ information for participants of the forecast, and
a user area that comprises information of the retrieved
current opportunities ~~[[of]]~~ for the user.

Note: For convenience, steps (a)-(f) are added at the beginning of each step

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

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3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over SULTAN (US 6,804,657) alone or in view of SANKARAN ET AL (US 7,516,084).

As for independent claim 1, SULTAN discloses a computer implemented method in a computer system comprising:

a) presenting forecast information, comprising: {see figure 3}

b) providing forecast snapshot, each forecast snapshot comprising a forecast data, a forecast period, a forecast interval and summary forecasts, wherein the forecast interval indicates a frequency at which forecasts are to be generated and saved as forecast snapshots;

{see figures 2- 3, at least col. col. 2, lines 8-18, col. 7, lines 23-44; col. 9, lines 5-67; col. 10, lines 1-60 discloses generating a real time sales forecasts, forecast information include a forecast information, a forecast period, a forecast interval (e.g. forecast is generated quarterly; and all forecast information are save in the database 310. The forecast information can be view (on a worksheet (web) page) the current (real time) pipeline information));

c) receiving a request at the computer system wherein the request is received from a user, and the request is for displaying forecast information for a forecast period;

{see at least figure 3, col. 3, lines 54-67, discloses a user is making a request for generating forecast; or col. 12, lines 1-19 discloses receiving a request for generating a forecast from a user when the user entering the parameters for the desired forecast};

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d) retrieving using, using a processor of the computer system, forecast information for the forecast period for each participant (member) of the forecast snapshot;

{see figures 3-4, col. 5, lines 34-63; col. 6, lines 1-26 discloses the retrieving forecast information from the database 310 through a computer network 312, and displaying this forecast information for the member};

e) retrieving, using the processor, current opportunities for the user; and

{see figure 3, at least col. 5, lines 34-63; col. 6, lines 27-67; col. 7., lines 5-43; col. 9, lines 5-67; col. 10, lines 1-60 discloses the retrieving the information e.g. pipeline revenue information or sale information of a product (current opportunities) which the sale person/user has entered};

f) generating, using the processor, a single display of the computer system comprising information such as summary area, wherein the information of summary area include summary information of the forecast for participants/member, a member area/participant area that comprise information regarding the forecast information of participants of the forecast; and a user area that comprising information of the current opportunities for the user.

{see at figure 3, discloses a single display comprise forecast summary report include forecast information, the sales group area (participant area), and the pipeline information (user area include opportunities information); and

Also col. 9, lines 5-67, col. 10, lines 10-60 discloses the generating a forecast and display on a screen. A display which displays the summary forecast information.

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Especially tables on col. 9, lines 30-36; col. 10, lines 5-16; and lines 45-50 discloses forecast information, participant/member information; and opportunities/pipeline revenue information.}

Note:

SULTAN discloses the claim invention as stated above. SULTAN further discloses the generating and displaying the forecast in real time. The forecast is created based on information available e.g. daily, weekly, monthly or quarterly for a particular region, the forecast is a snapshot of the quarterly opportunities. The particular forecast information can be pulled or retrieved e.g. forecast information for monthly or quarterly {see figure 3, col. 11, lines 49-67}. However, SULTAN doesn't mention about the "forecast snapshots" feature. It would have been obvious to one of ordinary skill in the art to understand that the forecast information is created a specific of time, and it is displayed and viewed as a snapshot or quick view of something a moment in time and the forecast is a snapshot of the weekly or monthly or quarterly opportunities.

Alternatively, SANKARAN ET AL cites the well known feature of generating the "forecast snapshots" data to allow the companies to improve financial predictability and to increase organizational responsiveness. {see SANKARAN ET AL, col. 1, lines 10-27; at least figures 5A-5E}.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the teachings of **SULTAN** to include the "forecast snapshot" feature as taught by **SANKARAN ET AL** for the benefit of allowing the

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companies to improve financial predictability and to increase organizational responsiveness. {see SANKARAN ET AL, col. 1, lines 10-27; at least figures 5A-5E}.

Moreover, This appears to be a “data processing” method, therefore, the term “*a forecast date, a forecast period, forecast interval and summary forecasts, summary area information, a participants area information, a user area information*”, in the “forecast snapshot”, have been determined to be non-functional descriptive material (NFDM), thus having no patentable weight and does not need to be taught by the prior art. Nonfunctional descriptive material can not render nonobvious an invention that would have other wise been obvious. In re Gulack, 703 F. 2d 1381, 1385, 217 USPQ 401, 40-4 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability. See MPEP 2106.01.

As for claim 2, SULTAN disclose wherein the information of the areas includes a date for each forecast snapshot {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 3, SULTAN disclose wherein the participants area includes a row for each participant that, when selected, provides more detailed information about each participant {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 4, SULTAN disclose wherein information of the summary area includes closed revenue and forecast revenue

As for claims 5-6, SULTAN discloses wherein information of the summary area includes revenue such as pipeline revenue, expected revenue {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 7, SULTAN disclose wherein the information of the participants area includes closed revenue and forecast revenue {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 8, SULTAN discloses wherein the information of the participants area includes pipeline revenue {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 9, SULTAN discloses wherein the information of the participants area includes name of the participant {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 10, SULTAN discloses wherein the user area includes information for each opportunity of the user {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 11, SULTAN discloses wherein the information for each opportunity includes opportunity identifier and forecast revenue {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 12, SULTAN disclose wherein the summary area comprises a row of information for each forecast snapshot within the forecast period, the participant area comprise a row of information for each participant within each forecast snapshot within the forecast period, and the user area comprises a row for each opportunity of the user

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{see at figure 3, discloses a single display comprise forecast summary report include forecast information, the sales group area (participant area), and the pipeline information (user area include opportunities information); and

Also col. 9, lines 5-67, col. 10, lines 10-60 discloses the generating a forecast and display on a screen. A display which displays the summary forecast information. Especially tables on col. 9, lines 30-36; col. 10, lines 5-16; and lines 45-50 discloses forecast information, participant/member information; and opportunities/pipeline revenue information.}

As for claim 13, SULTAN disclose wherein information of the summary area includes forecasted quantity of a product {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 14, SULTAN disclose wherein the information of the summary area includes closed quantity of a product {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

As for claim 15, SULTAN disclose wherein the information of the summary area includes pipeline quantity of a product {see figure 3, col. 9, lines 30-36; col. 10, lines 1-16, and lines 45-50}

Note: Claims 2-16, the term “information of the area, closed revenue, forecast revenue, pipeline revenue, opportunity identifier, summary area information, product quantity”, in the “forecast snapshot”, have been determined to be non-functional descriptive material (NFDM), thus having no patentable weight and does not need to be taught by the prior art. Nonfunctional descriptive material can not render nonobvious an

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invention that would have otherwise been obvious. In re Gulack, 703 F. 2d 1381, 1385, 217 USPQ 401, 40-4 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability. See MPEP 2106.01.

As for independent claim 16, SULTAN discloses a computer system for presenting forecast information comprising: a memory to store a forecast, a processor coupled to memory {see figure 4} which configured to carry the method step of the independent claim 1 above. It is rejected for the same reason sets forth the rejected independent claim 1 as recited above.

As for dep. claims 17-18, which disclose information of the areas include a data of forecast, participants area comprise a row for each participant, and opportunity information, this is taught in SULTAN, see at least {figure 3, col. 9, lines 5-67, col. 10, lines 10-60}.

As for dep. claims 19-21 which discloses information of the summary area include the type of revenue information, this is fairly taught in SULTAN, see at least {figure 3, col. 9, lines 5-67, col. 10, lines 10-60}.

As for dep. claims 22-25 which discloses information of the participant area include the type of information such as revenue, name of participant, this is fairly taught in SULTAN, see at least {figure 3, col. 9, lines 5-67, col. 10, lines 10-60}.

As for dep. claims 26-27 which discloses the user area includes information about the current opportunity, this is taught in {figures 3 and 4, col. 9, lines 5-67, col. 10, lines 10-60}.

As for dep. claims 18-31, basically these claims carry the similar steps as dep. claims 12-15 above. They are rejected for the same reason sets forth the rejected dep. claims 12-15 as cited above.

Note: Claims 17-32, the term "information of the area, closed revenue, forecast revenue, pipeline revenue, opportunity identifier, summary area information, product quantity", in the "forecast snapshot", have been determined to be non-functional descriptive material (NFDM), thus having no patentable weight and does not need to be taught by the prior art. Nonfunctional descriptive material can not render nonobvious an invention that would have other wise been obvious. In re Gulack, 703 F. 2d 1381, 1385, 217 USPQ 401, 40-4 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability. See MPEP 2106.01.

As for independent claim 32, basically this claim deals with a computer readable storage medium containing instructions for controlling a computer system , when executed by a processor in the computer system, cause the processor to perform a method step of the independent claim 1 above. Therefore, it is rejected for the same reason sets for the rejected independent claim 1 as recited above.

As for dep. claims 33-34, basically these claims have the similar steps as the rejected dep. claims 2-3 above. Therefore, they are rejected for the same reason sets forth dep. claims 2-3 as indicated above.

As for dep. claims 35-37, basically these claims have the similar steps as rejected dep. claims 9, 12-13 above. Therefore, they are rejected for the same reason sets forth dep. claims 9, 12-13 as indicated above.

As for independent claim 38, SULTAN discloses a computer program product, comprising a computer readable storage medium with instructions when executed by a processor, cause the processor to generate a display comprising the similar feature in steps a) and e) of the rejected independent claim 1 above. Therefore, it is rejected for the same reason sets forth independent claim 1 (step (a) and (e)) as indicated above.

Response to Arguments

4. Applicant's arguments with respect to amended on claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment on claims 1-16, 32 and 38 necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-1614. The examiner can normally be reached on Monday through Thursday from 8:30 A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. N./
Examiner, Art Unit 3689

/Tan Dean D. Nguyen/
Primary Examiner, Art Unit 3689